

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17323 of 2019

Arising Out of PS. Case No.-25 Year-2015 Thana- PURAINI District- Madhepura

1. Mithilesh Yadav, Son of Rajo Yadav Resident of Village - Puraini , P.S. Purani, Distt - Madhepura.
2. Md. Wazid Son of Md. Rahim Resident of Village - Ganesh Dlwara, P.S.- Puraini, Distt - Madhepura.
3. Pawan Goshwami Son of Late Chandradeep Goshwami Resident of Village - Dumrail, P.S. - Puraini, Distt - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh
For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-03-2019 Heard learned counsel for the petitioner and the State.

The petitioners are apprehending their arrest in connection with Puraini P.S. Case No.25 of 2015 registered for the offence punishable under Sections 341, 323, 353, 427, 504, 506, 34 of the Indian Penal Code.

The prosecution case, as per the written report of Dr. Binith Kumar Bharti, Medical officer, Puraini submitted to the S.H.O. Puraini P.S. is to the effect that on 26.02.2015 at 6.30 P.M., all the above named three petitioners brought co-accused, Rajesh Kumar to the informant for purpose of treatment. It is



further alleged that the informant sent the petitioners to Pradeep Kumar for registration for treatment and when registration fee was demanded by Pradeep Kumar then the petitioners tore the register, demanded extortion and threatened to kill him.

Learned counsel for the petitioner submits that petitioners have been roped in the present case since no medical facilities was being provided to him. It is further submitted that Chargesheet against all the above named petitioners has been submitted under Section 341, 323,, 353, 427, 504, 506/34 of the IPC. It is further submitted that even assuming the accusation to be true, no offence under Sections 384 and 385 IPC is made out against the petitioners.

Learned A.P.P. for the State has opposed the prayer for bail and submits that the accusation is specific against the petitioners and petitioners are named in the FIR.

Considering the nature of accusation being general and omnibus against all the four accused persons and statement being made in paragraph no.3 of the bail petition that the petitioners are not having any criminal antecedent, the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from the date of receipt of this order, be released on anticipatory



bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Uda-Kishunganj, District-Madhepura in connection with Puraini P.S. Case No.25 of 2015, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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